IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.1980 OF 2005

IN

SUIT NO.1801 OF 2005

AND

NOTICE OF MOTION NO.1981 OF 2005

IN

SUIT NO.1814 OF 2005

AND

NOTICE OF MOTION NO. 1982 OF 2005

IN

SUIT NO.1654 OF 2005

...

Shailesh Hemchand Shah & Anr. ...Plaintiffs

v/s.

M/s.Manek Developers & ors. ...Defendants

...

Mr.B.B.Saraf with Mr.S.S.Purohit & Ms.Neeta Solanki i/b Kiran Jain & Co. for the Plaintiffs.

Mr.C.N.Chavan for Defendants Nos. to 4.

...

CORAM: D.K.DESHMUKH, J.

DATED: 21ST FEBRUARY,2007

P.C.:

The learned Counsel appearing for the Defendants Nos. 1 to 4 states that until further orders of the court the Defendants shall not transfer, alienate, dispose of, deal with or part with possession of Flat No.9 on the 2nd floor of Building No.2 named as Divya Parshva and Flats Nos.37 and 38 on 6th floor of the same building. He further states that in case the Plaintiffs ultimately succeed, no defence will be raised that the Plaintiffs have not booked the above referred flats and that the booking was for some other flats. The learned Counsel further states that the above referred flats are unencumbered and are in possession of the Defendants and no rights in favour of any other person have been created in relation to these flats.

Statements are accepted.

Defendants are directed to file an affidavit within a period of two weeks from today indicating area of each of the above referred flats.

In view the abovereferred statements, which have been accepted, no interim order is necessary in these motions. Motions are, therefore, disposed of. The Plaintiffs, however, shall be at liberty to take out a motion seeking appropriate reliefs after the affidavit is filed by the Defendants.

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